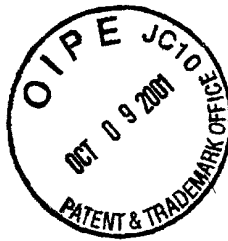


ASSISTANT COMMISSIONER FOR PATENTS  
Washington, DC 20231  
Box: Missing Parts



Docket No.: 218.1029  
Date: October 3, 2001

In re application of: **Manish SINHA, et al.**  
Serial No.: **09/916,957**  
Filed: **July 27, 2001**  
For: **PERIPHERAL FAILOVER SYSTEM**

Sir:

Transmitted herewith is an **Response to Notice to File Missing Parts** in the above-identified application.

- ☐ Small entity status under 37 C.F.R. 1.9 and 1.27 has been previously established.  
☐ Applicants assert small entity status under 37 C.F.R. 1.9 and 1.27.  
☒ No fee for additional claims is required.  
☐ A filing fee for additional claims calculated as shown below, is required:

FOR:	(Col. 1)		(Col. 2)		SMALL ENTITY		OR	LARGE ENTITY	
	REMAINING	HIGHEST	PREVIOUSLY	PRESENT	RATE	FEE		RATE	FEE
	AFTER		PAID FOR	EXTRA					
TOTAL CLAIMS	* Minus**	=		0	x \$ 9	\$		x \$ 18	\$
INDEP. CLAIMS	* Minus***	=		0	x \$ 40	\$		x \$ 80	\$
<input type="checkbox"/> FIRST PRESENTATION OF MULTIPLE DEP. CLAIM					+ \$135	\$		+ \$270	\$

TOTAL: \$      OR      TOTAL: \$

- \* If the entry in Co. 1 is less than the entry in Col. 2, write "0" in Col. 3.  
\*\* If the "Highest Number Previously Paid For" IN THIS SPACE is less than 20, write "20" in this space.  
\*\*\* If the "Highest Number Previously Paid For" IN THIS SPACE is less than 3, write "3" in this space.

- ☒ Also transmitted herewith are:  
☐ Petition for extension under 37 C.F.R. 1.136 (in duplicate)  
☒ Other: - **Copy of Notice to File Missing Parts**  
          - **Executed Declaration of Inventorship**  
          - **Two Sheets of Drawings**  
☒ Check(s) in the amount of **\$130.00** is/are attached to cover:  
☐ Filing fee for additional claims under 37 C.F.R. 1.16  
☐ Petition fee for extension under 37 C.F.R. 1.136  
☒ Other: - **Declaration and Power of Attorney**  
☒ The Assistant Commissioner is hereby authorized to charge payment of the following fees associated with this communication or credit any overpayment to Deposit Account No. 50-0552.  
☒ Any filing fee under 37 C.F.R. 1.16 for the presentation of additional claims which are not paid by check submitted herewith.  
☒ Any patent application processing fees under 37 C.F.R. 1.17.  
☒ Any petition fees for extension under 37 C.F.R. 1.136 which are not paid by check submitted herewith, and it is hereby requested that this be a petition for an automatic extension of time under 37 CFR 1.136.

Cary S. Kappel, Reg. No. 36,561  
DAVIDSON, DAVIDSON & KAPPEL, LLC  
485 Seventh Avenue, 14<sup>th</sup> Floor  
New York, New York 10018  
Tel: (212) 736-1940  
Fax: (212) 736-2427

I hereby certify that this correspondence and/or documents referred to as attached therein and/or fee are being deposited with the United States Postal Service as "first class mail" in an envelope addressed to "Assistant Commissioner for Patents, Washington, D.C. 20231" on October 3, 2001.

DAVIDSON, DAVIDSON & KAPPEL, LLC

BY: Jenae Ray

**UNITED STATES PATENT & TRADEMARK OFFICE**

Re: Application of: Manish SINHA, et al.  
 Serial No.: 09/916,957  
 Filed: July 27, 2001  
 For: **PERIPHERAL FAILOVER SYSTEM**

BOX: MISSING PARTS

Assistant Commissioner for Patents  
 Washington, D.C. 20231

October 3, 2001

**RESPONSE TO NOTICE TO FILE MISSING PARTS**

Sir:

In response to the Notification of Missing Requirements dated September 6, 2001, a copy of which is enclosed, please find an executed Declaration of Inventorship form signed by the inventors, substitute drawings, and a check in the amount of \$130.00 covering the surcharge.

If any additional fees are deemed to be due at this time, the Assistant Commissioner is authorized to charge payment of the same to Deposit Account No. 50-0552.

Respectfully submitted,

DAVIDSON, DAVIDSON &amp; KAPPEL, LLC

By

Cary S. Kappel

Reg. No. 36,561

Davidson, Davidson & Kappel, LLC  
 485 Seventh Avenue, 14<sup>th</sup> Floor  
 New York, New York 10018  
 (212) 736-1940

I hereby certify that this correspondence and/or documents referred to as attached therein and/or fee are being deposited with the United States Postal Service as "first class mail" in an envelope addressed to "Assistant Commissioner for Patents, Washington, DC 20231" on October 3, 2001.

DAVIDSON, DAVIDSON &amp; KAPPEL, LLC

BY:



FOOT 2569T660



UNITED STATES PATENT AND TRADEMARK OFFICE

COMMISSIONER FOR PATENTS  
UNITED STATES PATENT AND TRADEMARK OFFICE  
WASHINGTON, D.C. 20231  
www.uspto.gov

APPLICATION NUMBER	FILING/RECEIPT DATE	FIRST NAMED APPLICANT	ATTORNEY DOCKET NUMBER
09/916,957	07/27/2001	Manish Sinha	218.1029

CONFIRMATION NO. 9342

## FORMALITIES LETTER



\*OC00000006522224\*

Davidson, Davidson & Kappel, LLC  
485 Seventh Avenue, 14th Floor  
New York, NY 10018

Date Mailed: 09/06/2001

## NOTICE TO FILE MISSING PARTS OF NONPROVISIONAL APPLICATION

FILED UNDER 37 CFR 1.53(b)

10/11/2001 SDIRETA1 00000037 09916957

01 FC:105

130.00 DP

Filing Date Granted

An application number and filing date have been accorded to this application. The item(s) indicated below, however, are missing. Applicant is given **TWO MONTHS** from the date of this Notice within which to file all required items and pay any fees required below to avoid abandonment. Extensions of time may be obtained by filing a petition accompanied by the extension fee under the provisions of 37 CFR 1.136(a).

- The oath or declaration is unsigned.
- To avoid abandonment, a late filing fee or oath or declaration surcharge as set forth in 37 CFR 1.16(e) of \$130 for a non-small entity, must be submitted with the missing items identified in this letter.
- **The balance due by applicant is \$ 130.**

The application is informal since it does not comply with the regulations for the reason(s) indicated below.

The required item(s) identified below must be timely submitted to avoid abandonment:

- Substitute drawings in compliance with 37 CFR 1.84 because:
  - drawing sheets do not have the appropriate margin(s) (see 37 CFR 1.84(g)). Each sheet must include a top margin of at least 2.5 cm. (1 inch), a left side margin of at least 2.5 cm. (1 inch), a right side margin of at least 1.5 cm. ( 5/8 inch), and a bottom margin of at least 1.0 cm. (3/8 inch);

*A copy of this notice **MUST** be returned with the reply.*

A.J.  
Customer Service Center  
Initial Patent Examination Division (703) 308-1202